UNITED STATES GOVERNMENT

Memorandum

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Adm. Servs. ____
Crim. Inv. ____
Ident. ____
Intell. ____
Laboratory ____
Legal Coun. ____
Plan. & Insp. ____
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Training ____
Public Affs. Off. ____
Telephone Rm. ____
Director's Sec'y ____

TO : Mr. Bassett HNB/JP

DATE: 10-12-78

1 - Mr. Adams
1 - Mr. McDermott
1 - Mr. Bassett
1 - Mr. Awe
1 - Mr. Bresson
1 - Mr. Ryan
1 - Mr. Foster
1 - Mr. Giaquinto

FROM : D. Ryan

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 2/14/80 BY [illegible]

SUBJECT: HOUSE SELECT COMMITTEE ON ASSASSINATIONS
U. S. HOUSE OF REPRESENTATIVES (HSCA)

PURPOSE: To advise that captioned Committee is expected to conclude its work regarding the John F. Kennedy-Martin Luther King, Jr., assassinations probe and cease operations on or about December 31, 1978. Additionally, this memorandum is being submitted in order to solicit responses from the Disclosure Section, Freedom of Information-Privacy Act (FOIPA) Branch, and Records Systems Section, Records Branch, regarding their respective positions as to the disposition of the voluminous material prepared for the HSCA.

DETAILS: The HSCA was formed in September, 1976, by the Ninety-fourth Congress to "study the circumstances surrounding the details of John F. Kennedy and Martin Luther King, Jr., and any others the Select Committee shall determine." Subsequent to the formation of the HSCA, the Congressional Inquiry Unit (CIU) was formed at FBI Headquarters to process requests submitted by the Committee for pertinent FBI material.

To date, the CIU has processed two hundred eighty-three (283) requests from the Committee providing them with both Bureau and field office material pertinent to these assassination probes. The material, which includes sensitive ELSUR logs, highly classified security files, appropriate tickler files and a separate index system, is currently stored in approximately sixty (60) file cabinets located within the CIU's secure but temporary office space in Room 8988.

Mr. G. Robert Blakey, Chief Counsel and Director, HSCA, has advised the Committee will conclude its public hearings this November, issue its report soon thereafter, and, as mandated by Congress, will conclude its business on or about December 31, 1978. With the dissolution of the HSCA and the expected dissolution of the CIU, the subject of the proper disposition of the voluminous material prepared for the Committee needs to be addressed. Therefore, the CIU is setting forth the following recommendation.

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HOUSE SELECT COMMITTEE ON ASSASSINATIONS
U. S. HOUSE OF REPRESENTATIVES (HSCA)

RECOMMENDATION: That the Disclosure Section, FOIPA Branch, and the Records System Section, Records Branch, make a preliminary survey of the material which has been prepared for the HSCA. Additionally, that upon the review of said material, these Sections furnish their addenda to this memorandum setting forth their recommendations as to the disposition and, if appropriate, subsequent storage of said material.

APPROVED:

Director
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Dep. AD Adm.
Dep. AD Inv.

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Spec. Inv.
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Re: Memo Ryan to Bassett, 10/12/78
HOUSE SELECT COMMITTEE ON ASSASSINATIONS
U. S. HOUSE OF REPRESENTATIVES (HSCA)

ADDENDUM OF THE RECORDS MANAGEMENT DIVISION (RMD) (CMG:ssj 10/24/78)

The Records Research Staff has reviewed the material which was processed for the House Select Committee on Assassinations by the Congressional Inquiry Unit. Approximately 60 cabinets of processed documents, tickler files, and an index system will remain after original files are returned to respective HQ and field office storage.

RMD will accept the 60 remaining cabinets of material for storage and maintenance. Due to the sensitive nature of the contents, the cabinets should be locked to restrict access and keys should be affixed to a separate key ring for maintenance in the Tele-key cabinet in the Filing Unit. Cabinets should be numbered in a fashion that will permit cabinet arrangement for retrievability.

This memorandum should be referred to the Printing and Space Management Section, Personnel and Space Management Branch, Administrative Services Division, for information in view of the critical space problem with which RMD is confronted.

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Re: HOUSE SELECT COMMITTEE ON ASSASSINATIONS
U.S. HOUSE OF REPRESENTATIVES (HSCA)

ADDENDUM: FOIPA BRANCH THB:tdp 10/31/78
RECORDS MANAGEMENT DIVISION

An informal survey of the material prepared for the House Select Committee on Assassinations (HSCA) by the Congressional Inquiry Unit was conducted on 10/27/78 by Section Chief Bresson of Disclosure Section, FOIPA Branch, along with SAs John A. Hartingh and John C. Hall, Legal Counsel Division. It was observed the material includes voluminous records which are not pertinent to the Kennedy-King assassinations, i.e., extensive ELSUR logs and other file material concerning organized crime figures, as well as certain extremist organization files.

FOIPA Branch is currently involved in litigation regarding both the Kennedy and King cases. An issue concerning scope of our searches is still unsettled; however, with regard to King, the scope issue is about to become the focus of a hearing to be held soon in U.S. District Court, Washington, D.C. It is anticipated that Quinlan J. Shea, Director, Information and Privacy Appeals Office, Department of Justice, will furnish an affidavit in essence stating that his appeal review considered the scope issue and he is satisfied the searches conducted and records thereby retrieved for review are within the confines of the FOIA request.

On 10/27/78 the matter of our retention of copies of the material furnished HSCA was discussed with Shea. He is aware that a significant portion of record material furnished the Committee in response to specific inquiries has not been considered by us to be within the scope of the FOIA request. In this regard we have, in the past, made available to the FOIA litigant in this matter documents which were publicized by the Committee, and which would not have been included in the FOIA processed material. Shea concurs that production of records for the Committee does not, in itself however, bring those records within the scope confines of the FOIA litigation, and is prepared to uphold our FOIA searches which utilized the indices to retrieve the main case files regarding the assassinations and closely related main files both at FBIHQ and selected field divisions.

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Of course, the Court, which is presumably aware of the fact the FBI provided records to the HSCA, may not accept Shea's conclusion regarding the extent of our searches, and may rule that any records sought by and provided to the Committee would be within the scope of any FOIA request.

It can be anticipated that the published HSCA report will generate additional FOIA requests. Retention of the record material furnished HSCA will greatly assist us in locating documents responsive to these requests since they are maintained in a manner which will enable their retrieval by subject matter of the Committee's 283 requests referred to in this memorandum.

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